

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 1, 2008**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of October 1, 2008, was called to order by Mayor Pro Tempore Hansen at 6:00 p.m.

Present: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Absent: Mayor Mounce

Also Present: City Manager King, City Attorney Schwabauer, and Assistant City Clerk Perrin

C-2 Announcement of Closed Session

a) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Confidential Employees and Association of Lodi City Employees Regarding General Services and Maintenance & Operators Pursuant to Government Code §54957.6

b) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Jose Nava against City of Lodi Based on Personal Injury

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Pro Tempore Hansen adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:46 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Pro Tempore Hansen reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

Item C-2 (a) was discussion only, and Item C-2 (b) was not discussed.

A. Call to Order / Roll call

The Regular City Council meeting of October 1, 2008, was called to order by Mayor Pro Tempore Hansen at 7:00 p.m.

Present: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Absent: Mayor Mounce

Also Present: City Manager King, City Attorney Schwabauer, and Assistant City Clerk Perrin

B. Invocation - Pastor Bill Cummins, Bear Creek Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards - None

D-2 Proclamations

a) International Conflict Resolution Day

Mayor Pro Tempore Hansen acknowledged the proclamation proclaiming October 16, 2008, as "International Conflict Resolution Day" in the City of Lodi on behalf of Marilyn Hughes who was unable to attend the meeting.

D-3 Presentations

a) Presentation Regarding Hutchins Street Square Pool Campaign Kick Off

Dennis Bennett, former chairman of the Hutchins Street Square Foundation, announced the kickoff of the fundraising efforts to repair the Hutchins Street Square pool, which is estimated to cost \$200,000. Raffle tickets are being sold for \$1,000 each, and the winner of the drawing will name the pool. Contributions of less will be accepted, but not be eligible for the drawing.

E. Consent Calendar (Reading; Comments by the Public; Council Action)

Mayor Pro Tempore Hansen made a motion, second by Council Member Katzakian, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

E-1 Receive Register of Claims in the Amount of \$8,855,742.96 (FIN)

Claims were approved in the amount of \$8,855,742.96.

E-2 Approve Minutes (CLK)

The minutes of September 16, 2008 (Shirtsleeve Session), September 17, 2008 (Regular Meeting), September 23, 2008 (Special Shirtsleeve Session), and September 23, 2008 (Special Meeting) were approved as written.

E-3 Adopt Resolution Awarding the Purchase of 50,000 Feet of Underground Electric Conductor (Wire) from Prysmian Power Cables and Systems USA, of Lexington, SC (\$158,144.68) (EUD)

Adopted Resolution No. 2008-190 awarding the purchase of 40,000 feet of #1/0 AWG and 10,000 feet of 1100 kcmil 15kV EPR insulated with concentric neutral underground cables from Prysmian Power Cables and Systems USA, of Lexington, SC, in the amount of \$158,144.68.

E-4 Accept Improvements under Contract for Lower Sacramento Road West Frontage Road Wastewater Pipe Improvements (Bayberry Drive to Tejon Street) (PW)

Accepted the improvements under "Lower Sacramento Road West Frontage Road Wastewater

Pipe Improvements (Bayberry Drive to Tejon Street)" contract.

E-5 Adopt Resolution Accepting Improvements at 610 South Guild Avenue (PW)

Adopted Resolution No. 2008-191 accepting the improvements at 610 South Guild Avenue.

E-6 Adopt Resolution Accepting Improvements at 2126 Tienda Drive (PW)

Adopted Resolution No. 2008-192 accepting the improvements at 2126 Tienda Drive.

E-7 Adopt Resolution Approving Improvement Agreement for Public Improvements of 2 East Tokay Street (APN #045-320-04) (PW)

Adopted Resolution No. 2008-193 approving the Improvement Agreement for Public Improvements of 2 East Tokay Street (APN #045-320-04) and authorizing the City Manager to execute the agreement on behalf of the City.

E-8 Adopt Resolution Approving Downtown Cleaning Contract with United Cerebral Palsy of San Joaquin, Amador, and Calaveras Counties, of Stockton, for Fiscal Year 2008-09 (\$30,504) (PW)

This item was pulled by Council Member Johnson.

In response to Council Member Johnson, City Manager King stated that, at one point during negotiations regarding the waste franchise agreement, it was proposed that the refuse provider service the trash receptacles downtown; however, that component was ultimately dropped, and Waste Management instead increased the franchise fee. Because of that, Public Works negotiated this agreement with United Cerebral Palsy, which currently provides a number of services to the City.

Council Member Johnson made a motion, second by Mayor Pro Tempore Hansen, to adopt Resolution No. 2008-196 approving the Downtown cleaning contract with United Cerebral Palsy of San Joaquin, Amador, and Calaveras Counties, of Stockton, for fiscal year 2008-09 in the amount of \$30,504.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

E-9 Adopt Resolution Opposing California Ballot Initiative Proposition 7 (Solar & Clean Energy Act of 2008) (EUD)

Adopted Resolution No. 2008-194 opposing California ballot initiative Proposition 7 titled, "Solar & Clean Energy Act of 2008."

E-10 Adopt Resolution Approving an Updated Electric Resource Adequacy Program (EUD)

Adopted Resolution No. 2008-195 approving an updated Electric Resource Adequacy Program.

E-11 Adopt Resolution Amending the Position Control to Add Two New Electric

Lineman/Linewoman Positions (EUD)

This item was pulled by Council Member Hitchcock who requested background information.

Electric Utility Director George Morrow stated that the Department is experiencing difficulty in retaining contract workers as many have left for larger, higher paying projects or to work on the hurricane damage in Texas. As the Utility's financial condition improves, the goal is to upgrade the maintenance on the system and the linemen are the mechanics of that asset. In-house linemen would provide knowledge, value, and better response times.

City Manager King stated that at one time Electric Utility was authorized at ten linemen; however, as the work diminished and the financial condition worsened, that number could no longer be sustained and was reduced. The situation has since improved, but the City cannot hold onto contract workers, leaving the Utility short staffed.

In response to Council Member Johnson, Mr. Morrow stated that it is necessary to supervise the contract tree trimming crews in order to direct, manage, and prioritize the work. The foreman meets with the crews, as well as with citizens, to answer questions and explain the rationale behind the tree trimming process. Further, contract workers are more costly due to per diem costs for living expenses and overtime being paid at double time.

Council Member Hitchcock made a motion, second by Council Member Johnson, to adopt Resolution No. 2008-197 amending the position control to add two new Electric Lineman/Linewoman positions.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

- F. Comments by the Public on Non-Agenda Items THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES. The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

None.

- G. Comments by the City Council Members on Non-Agenda Items

Mayor Pro Tempore Hansen reported that he was appointed chair of the Northern California Power Agency (NCPA) for the next two years and that this year is the 40th anniversary of NCPA. At the NCPA annual conference, the Commission authorized a \$15 million purchase for power equipment necessary for the Lodi Energy Center, which generally takes an extended period of time to design and build. Further, Mr. Hansen attended the first meeting of the San Joaquin Council of Governments new Project Delivery Sub-Committee, which deals with cost control and reviewing scope changes on major highway projects, including Highway 12.

Council Member Hitchcock reported that she attended the San Joaquin Council of Governments (SJCOG) meeting on Mr. Hansen's behalf in order to vote on a City of Lodi item before the board. Measure K money is being allocated for transit oriented development in downtown areas: \$750,000 for planning and \$750,000 for infrastructure. Lodi's project was for infrastructure, and the SJCOG board moved forward in allocating \$315,000 for planning projects, but held off on the infrastructure projects. Lodi is number two in that effort, and this matter will be coming back to the managers and technical committees sometime in October.

H. Comments by the City Manager on Non-Agenda Items

None.

I. Public Hearings - None

J. Communications

J-1 Claims Filed Against the City of Lodi - None

J-2 Appointments

a) Post for One Vacancy on the Lodi Arts Commission (CLK)

Council Member Johnson made a motion, second by Council Member Hitchcock, to direct the City Clerk to post for one vacancy on the Lodi Arts Commission: Thorstien Himle, term to expire July 1, 2011.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

J-3 Miscellaneous - None

K. Regular Calendar

K-1 Adopt Resolution Establishing Guidelines for the Residential Paint-Up/Fix-Up Program (CD)

NOTE: Joint action of the Lodi City Council and Redevelopment Agency

NOTE: This item is carried over from the meeting of 9/17/08

City Manager King briefly introduced the subject matter, stating that this item was originally presented to Council in August and is a program that would benefit the public for purposes of the redevelopment program.

Interim Community Development Director Rad Bartlam reported that redevelopment agencies are mandated to set aside 20% of its increment for housing programs to increase, improve, and provide low/moderate housing. This particular program is a residential paint-up/fix-up program and is a common tool for redevelopment agencies, particularly in their infancy, to assist low/moderate income residents in dealing with code repairs and visual issues within neighborhoods. The paint-up/fix-up program is intended for all homeowners in the project area, and the income eligibility is dependent upon the size of the family. Eligible repairs include exterior repairs; painting, stucco, or siding repairs; window, door, and roof repair/replacement;

Americans with Disabilities Act upgrades; fencing; landscape improvements; and driveway/walkway replacement. The standards would state that there must be a legitimate need for the repairs/improvements (not simply desire or cosmetic reasons) and Building/Housing Code compliance and safety repairs would have priority over other improvements. Staff recommendation is that there be no matching requirement for very low income households and a 20% match for all other income levels and that applications are handled on a first-come, first-served basis. The amount of money devoted would be determined in the budget during the 2009-10 fiscal year. Upon determining an applicant's eligibility, staff would inspect the property and scope of repairs, determine eligibility, and provide letter of approval, list of program-approved contractors, and format for contractors to follow when submitting bids. Applicants who use their own contractor must provide at least one bid from the program-approved list and their contractor must be checked and approved to participate and must have a City business license, bond, and a State contractor's license. Applicants will be required to provide matching funds up front to ensure full funding necessary to complete the work, and payment will be processed after the work and materials have been inspected and approved. Mr. Bartlam reviewed the program development timeline, stating that the program would begin operating in July 2009.

Council Member Hitchcock suggested this program have an application period, rather than being received on a first-come, first-served basis, in order to target the very low and low income groups. She further suggested that the applications be given out by the Lodi Improvement Committee and that the recommendations go through and are approved by the Planning Commission.

In response to Council Member Johnson, Mr. Bartlam stated that this is designed to be a grant program with matching funds, but no repayment. The program could be arranged to set up funds in the very low and low income brackets that can only be accessed by those eligible.

Mr. King added that the program could also include a higher match for the moderate income levels; however, it is important to ensure there is no match for the very low income level. In addition, if there were an application period, priorities could be set that applications from those in the very low income categories would be first priority. It is proposed that this program be confined to those within the project area, rather than citywide, and that it be as simple as possible. Mr. King added that the program could be amended after the first trial year.

In response to Mayor Pro Tempore Hansen, Mr. Bartlam stated that staff would provide information to Council on the breakdown of different income levels for those participating in the Community Development Block Grant down payment assistance program, adding that the program has been a success. Mr. Bartlam believed the paint-up/fix-up program would be just as successful.

Council Member Johnson expressed support for an application period, priority for the lower income categories, and for leaving the matching requirements as is.

Mr. King summarized that the guidelines be amended to include an application period of July 1 to September 1, at which time applications would be evaluated with priority given to very low and low income applicants and the allocations made by the Lodi Improvement Committee. The matching fund component would remain as proposed by staff.

In response to Mayor Pro Tempore Hansen, Mr. King confirmed that there are no funds being borrowed to support this program.

Council Member Johnson made a motion, second by Council Member Katzakian, to adopt Resolution RDA2008-07 of the Redevelopment Agency of the City of Lodi establishing guidelines for the Residential Paint-Up/Fix-Up Program to include amendment to Section 4, stating that

applications will be accepted from July 1 through September 1, that selection of applications for funding will be made by the Lodi Improvement Committee, and that priority for funding will be given to very low and low income families, and further that the matching funds component in the guidelines not change at this time.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

K-2 Adopt Resolution Approving Impact Mitigation Fee Program Annual Report for Fiscal Year 2007-08 (PW)

NOTE: This item is carried over from the meeting of 9/17/08

Public Works Director Wally Sandelin provided a summary of the cash balances at the end of the year, pointing out notable revenues of \$5.8 million for Flag City, \$73,000 for ADM, and \$1.6 million for Blue Shield and notable expenditures for the completion of the Surface Water Plant Feasibility Report, repayment to San Joaquin Council of Governments for Kettleman Lane and State Route 99, and the General Plan update. Two interfund loans were made: water loan to Fire for Station #4 and parks loan to streets for Lower Sacramento Road.

In response to Council Member Hitchcock, Mr. Sandelin stated that the loan from water to fire was for the lease purchase on the Quint fire engine. He further responded that staff is anxious to revisit the fees during the General Plan update. Mr. Sandelin was unsure when the fire and police development fees were last updated; although, they do have a Consumer Price Index adjustment built into them.

Council Member Hitchcock stated that the fees should be regularly adjusted, which is required in the City's ordinance, and every year the City does not do a comprehensive review puts the fees that much more behind.

Discussion ensued between Council Member Hitchcock, Mr. King, Mr. Sandelin, and City Attorney Schwabauer regarding the fees, level of service, methodology, fee updates and annual reports, and the subject ordinance.

Mayor Pro Tempore Hansen suggested that Council adopt the subject resolution to approve the annual report for fiscal year 2007-08 and let staff proceed with its plan of assessing the impact fees at the conclusion of the General Plan update. Council Member Hitchcock concurred, but cautioned that the City cannot collect what it missed.

Mayor Pro Tempore Hansen made a motion, second by Council Member Katzakian, to adopt Resolution No. 2008-198 approving the Impact Mitigation Fee Program Annual Report for Fiscal Year 2007-08.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

K-3 Adopt Resolution Approving Allocating Start-Up Funds to Project Lodi Art's Sidewalk

Mosaic Medallion Design Competition (\$5,000) (COM)

Arts Coordinator Deanie Bridewell reported that Project Lodi Arts was approved by the Art in Public Places Board in August as a way to incorporate public art into the community, including parks, playgrounds, and other open spaces. The request before Council is to approve start-up funds for this project.

Arts Commissioner J. Mark Hamilton provided a PowerPoint presentation regarding Project Lodi Arts. Specific topics of discussion included team members; goals and vision; benefits of community created art in public places; opportunities throughout the City including north Lodi Lake, Candy Cane Park, Emerson Park tot lot, and English Oaks North; art in public play spaces such as Lodi Skate Park or replacing traditional playground equipment; functional playground artwork as part of upgrades with permanent low/no maintenance equipment; community support and participants; and public spaces projects. The first proposed project is for sidewalk mosaic medallions, which would be put in as part of the East Lodi Avenue Project. It would begin as a design contest for 24 mosaic medallions to be installed in the sidewalk, which is currently underway, followed by a mosaic workshop in winter 2009. The winning entry will be used for logo wear and posters to generate revenue for future and ongoing projects. In addition, there are multiple funding sources through the City, service groups, and fundraising. The Board is requesting \$5,000 from art in public places funds as start-up money for the logo wear.

In response to Council Member Hitchcock, Mr. Hamilton stated that the start-up funds would be seed money to get the project up and running and it would be put toward logo wear that would generate revenue through sales and sponsorships to make the 24 medallions.

In response to Council Member Johnson, Mr. Hamilton described the process for the sidewalk mosaic medallions, stating that most of the materials will be donated from left over projects or from manufacturers and the creation will be in a structured environment. This project is being modeled after other successful programs, and the contest will be open to the community at large.

In response to Council Member Hitchcock, Mr. Hamilton stated that he is scheduled to present this proposed project to the Parks and Recreation Commission next month. After the first sidewalk project, the focus will be on parks.

In response to Mayor Pro Tempore Hansen, Mr. Hamilton stated that the most opportune time to install a mosaic is during new sidewalk installation and the proposal is to put in a mosaic at each street corner (i.e. four per corner) as part of the East Lodi Avenue Project. The process involves a plywood plug, which is put into the wet concrete and removed once it is dry. The mosaic is pre-manufactured and can go 80 plus years with no maintenance. The City Engineering Division would need to be involved with the process.

Mayor Pro Tempore Hansen made a motion, second by Council Member Johnson, to adopt Resolution No. 2008-199 approving allocating \$5,000 in start up funds to Project Lodi Art's Sidewalk Mosaic Medallion Design Competition.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

Recess

At 8:35 p.m., Mayor Pro Tempore Hansen called for a recess, and the City Council meeting reconvened at 8:46 p.m.

K-4 Approve Removal of 22 Modesto Ash Trees at Various Locations During Fiscal Years 2008-09 and 2009-10 (PW)

City Manager King briefly introduced the subject of the removal of 22 Modesto Ash trees at various locations.

Streets & Drainage Manager George Bradley stated that, due to the uniqueness of this situation, staff is bringing this matter to Council. The City has approximately 9,000 trees in its urban forest, 500 of which are Modesto Ash trees. In 2002 a survey was completed, rating the trees as good, poor, or critical. The trees listed in critical condition have all been removed, and the 78 rated in poor condition are slated to be removed when economically feasible. Modesto Ash trees are a costly tree to maintain in the City's inventory, and dealing with the trees on an emergency basis can be quite expensive. Mr. Bradley displayed photographs of various trees scheduled for removal, many of which had little foliage and a substantial amount of mistletoe.

Mayor Pro Tempore Hansen stated that approximately one year ago mistletoe was removed from the trees on Elm Street in front of the Lodi Police Department and he questioned if those trees could be saved. Mr. Bradley responded that it was not a wasted effort; however, removing the mistletoe only delays the process because they will be re-affected by neighboring trees, are not healthy, and will die relatively quick. The Elm Street trees will not be removed all at once in order to plant infill.

Mr. Bradley added that the proposal for most properties is to remove only one tree at this time; however, both trees on the property of 1305 South Church Street need to be removed.

In response to Council Member Katzakian, Mr. Bradley stated that the type of tree to replace the Modesto Ash will depend on the location, size of parkway strip, and the long-term affect on curb, gutter, and sidewalk.

Council Member Johnson made a motion, second by Mayor Pro Tempore Hansen, to approve the removal of 22 Modesto Ash trees at various locations during fiscal years 2008-09 and 2009-10.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

K-5 Adopt Resolution Approving Transfer of PCE/TCE City Insurance Proceeds, PCE/TCE Rate, and Water Utility Fund to Fund PCE/TCE Past Litigation Expense (\$13,000,000) (PW)

Public Works Director Sandelin provided a PowerPoint presentation regarding the transfer of PCE/TCE City insurance proceeds, PCE/TCE rate, and water utility fund to fund PCE/TCE past litigation expense, which would erase the deficit sub-fund balance in the water fund. On October 3, 2001, Council directed that at the time of settlement the water fund be repaid for the previous \$6 million expenditure. That \$6 million is currently a \$14.7 million deficit. On April 27, 2004, another rate increase was approved to 1) provide \$1.2 million for Woodbridge Irrigation District water purchase; 2) contribute \$800,000 for PCE/TCE program; and 3) provide for Consumer Price Index adjustment, the revenue for which was directed into the water fund. The requested

action would create a journal entry of \$6.3 million in the water operating fund and transfer \$1.7 million from the PCE/TCE settlements fund and \$5 million from the PCE/TCE rates to cover the PCE/TCE expenses. There would be a remaining \$1.7 million deficit, which would be corrected later from the rates, and there are no near-term expenditures anticipated. The ongoing cleanup will be funded by the settlements, and the \$2 million balance in the settlements fund would pay for ongoing litigation.

In response to Council Member Hitchcock, Mr. King stated that the intention is to use the proceeds of the insurance money for litigation. All other costs for mediation, reports to the board, professional services, engineering, etc. are covered by the PCE/TCE rates.

Mayor Pro Tempore Hansen questioned if the litigation and cleanup funds would be separated and what amounts are needed for both. City Attorney Schwabauer responded that the fund includes settlement monies from defendants and insurance carriers, as well as rates. Mr. Sandelin stated that the amount is \$12 million, which includes the \$2 million on the overhead presentation.

Council Member Hitchcock made a motion, second by Council Member Johnson, to adopt Resolution No. 2008-200 approving transfer of PCE/TCE City insurance proceeds, PCE/TCE rate, and water utility fund to fund PCE/TCE past litigation expense in the amount of \$13,000,000.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: None

Absent: Mayor Mounce

K-6 Provide Direction with Regard to Request from Council Member Hitchcock to Terminate General Plan Contracts (CM)

City Manager King reported that this item appears on the agenda at the request of Council Member Hitchcock.

Council Member Hitchcock stated her concern is that projects are continuing to move forward prior to the approval of the General Plan update, which sets the direction and vision for the City. She suggested that Council either terminate the General Plan contracts or make a policy decision to hold off on developments until the completion of the General Plan.

Mayor Pro Tempore Hansen stated that most jurisdictions select a timeframe of 15 to 20 years and recognize that timeframes vary depending on issues being considered. The General Plan allows for four amendments per year. In regard to the area of Harney Lane west of Highway 99, the City has the authority to amend the General Plan as it was previously set aside in the Plan. Mr. Hansen did not believe that projects should come to a halt until the new General Plan is in place, particularly because it is such a lengthy process.

Council Member Hitchcock pointed out that the Plan includes a policy that it is to be updated every five years and the new General Plan would establish the area referenced by Council Member Hansen. She believed that the Petrovich project being proposed is in conflict with all three proposals that were put forth by the consultants and she preferred to postpone any decisions until the General Plan update is complete in order to ensure consistency. General Plan amendments were intended to be made to the areas within the planning area during the life of the Plan, and she was uncomfortable with the City moving into areas that were beyond the boundaries.

In response to Council Member Hitchcock, Interim Community Development Director Rad Bartlam stated that the General Plan schedule on the Website is still current. The slight delay is a result of other projects taking precedence before the Planning Commission; however, the draft preferred plan is scheduled to come before the commission at its first meeting in November. The only project needing a General Plan amendment that staff is aware of is the Geweke Pixley Park exchange. The Petrovich development is not in the General Plan or the City's sphere of influence, and the developers are aware that the General Plan update must move forward in advance of their project. Mr. King added that staff met with the developers of the Petrovich project to suggest they wait until the completion of the General Plan update.

Mayor Pro Tempore Hansen spoke of the benefits of the Reynolds Ranch project, the current General Plan being followed appropriately, and local developers understanding the need to wait until the new Plan is in place. He stated he would not support a motion to terminate the General Plan contracts.

Council Member Hitchcock stated it was not her intention to stop the General Plan and she would prefer to see a policy statement by the Council that there be no new developments on properties outside the boundaries until there is a final General Plan document. This would provide time for staff to complete the Plan and review the major infrastructure and development fees to ensure that developers are paying for actual costs.

Mayor Pro Tempore Hansen stated there were no new projects coming forward between now and the completion of the General Plan.

Discussion ensued between Council Member Katzakian, Council Member Johnson, Mr. King, and Mr. Bartlam regarding the Sutter Gould project and its timeline, studies, and discussions with the developer.

Jim Migliore with Petrovich Development confirmed that he met with staff and they intend to work with the General Plan update process.

L. Ordinances - None

M. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 9:45 p.m.

ATTEST:

Jennifer M. Perrin
Assistant City Clerk